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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,175	02/10/2005	Koichi Goto	SONY JP 3.3-396	2452
530 7590 02/06/2008 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			EXAMINER EKPO, NNENNA NGOZI	
			ART UNIT 2623	PAPER NUMBER
			MAIL DATE 02/06/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/524,175

**Applicant(s)**

GOTO ET AL.

**Examiner**

Nnenna N. Ekpo

**Art Unit**

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Information Disclosure Statement*

2. The references listed in the Information Disclosure Statement filed on February 10, 2005, September 06, 2006 and June 25, 2007 has been considered by the examiner (see attached PTO-1449 form).

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-4, 11 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Margulis (U.S. Patent No. 6,263,503) in view of Naka et al. (U.S. Patent No. 6,707,503) and Callway (U.S. Publication No. 2003/0202006).

Regarding **claims 1 and 13**, Margulis discloses a receiving apparatus, comprising:

a television receiving apparatus (see fig 1 (156)) operable to receive and monitor both broadcast signals (see col.3, lines 61-64) and an streaming data distributed over an Internet (see col. 4, lines 44-55); the television receiving apparatus having a primary display (see col. 4, lines 1-12 and fig 1 (primary TV, 152)); and

a secondary display apparatus (see fig 1 (Remote TV, 158)) operable to communicate with the television receiving apparatus (see fig 1 (Wireless Base Station, 156)) (see col. 5, lines 15-19), wherein,

when the receiving apparatus (see fig 5, wireless base station (156)) receives an analog broadcast signal (see fig 5, Analog Video (514)) (see col. 7, lines 28-31), and is digitally compression encoded (see col. 7, lines 54-64)

when the receiving apparatus (see fig 5, wireless base station (156)) receives a digital broadcast signal (see fig 5, Digital A/V (536)) (see col. 7, lines 28-31), the digital broadcast signal is decoded (see col. 8, lines 22-30, the digital signal involves decoding/decompressing the original data into a raw intermediate format), and the decoded signal is encoded again (see fig 5 (transcoding, 538)) (see col. 8, lines 22-30, transcoding involves re-encoding the decoded signal into the targeted format), and

However, Margulis fails to specifically disclose a video portion of the analog broadcast signal is displayed on the primary display, displaying the digital signal on the primary display and sent to the secondary display and the streaming data is sent to the secondary display apparatus without decoding in the television receiving apparatus and receiving apparatus receives streaming data from the Internet.

Naka et al. discloses a video portion of the analog broadcast signal is displayed on the primary display (CRT display) (see col. 18, lines 41-42), displaying the digital signal on the display and sent to the secondary display (LCD display) (see col. 18, lines 42-45, the displays have the capability of viewing both analog and digital signals on different display).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Margulis's invention with the above mentioned limitation as taught by Naka et al. for the advantage of monitoring programs on different displays.

However, Margulis and Naka et al. fails to specifically disclose the streaming data is sent to the secondary display apparatus without decoding in the television receiving apparatus and receiving apparatus receives streaming data from the Internet.

Callway discloses the streaming data is sent to the secondary display apparatus without decoding in the television receiving apparatus (see paragraph 0041) and receiving apparatus receives streaming data from the Internet (see paragraph 0014, lines 22-29).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Margulis and Naka et al.'s invention with the above mentioned limitation as taught by Callway for the advantage of preventing contents from being copied.

Regarding **claim 2**, Margulis, Naka et al. and Callway discloses everything claimed as applied above (see *claim 1*). Margulis discloses a receiving apparatus (see fig 1 (wireless base station, 156)) and signal transmitted to the secondary display (remote TV, 158) from the television receiving apparatus (see col. 7, lines 35-43).

Callway discloses encryption for transmission (see paragraph 0037, lines 17-20) and reception (see paragraph 0033, lines 3-5) and encryption for contents protection (see paragraph 0048, lines 14-17).

Regarding **claim 3**, Margulis, Naka et al. and Callway discloses everything claimed as applied above (see *claim 1*). Margulis discloses a receiving apparatus, wherein the television receiving apparatus (see fig 1 (156)) is operable to obtain information associated with the received broadcast signals (see fig 5, lines 1-5),

the primary display is operable to display a broadcast program based on the received broadcast signals (see col. 5, lines 8-14);

the television receiving apparatus (see fig 1 (wireless base station, 156)) is further operable to send (transmits) information associated with the broadcast program to the secondary display (see col. 5, lines 15-19); and

the secondary display is operable to display (viewing) the information associated with the broadcast program (see col. 5, lines 15-19).

Regarding **claim 4**, Margulis, Naka et al. and Callway discloses everything claimed as applied above (see *claim 1*). Margulis discloses a receiving apparatus (see fig 1 (wireless base station, 156)), wherein the secondary display (remote TV, 158) is operable to display television broadcast contents (see col. 5, lines 15-19), contents obtained through the Internet (see col. 10, lines 23-28) and a display for a commander to remote-control the television receiving apparatus (see col. 5, lines 57-col. 4, lines 21

and fig 3), and a remote control signal is generated based on the display for the commander (see col. 5, lines 66-col. 4, lines 13 and fig 3).

Regarding **claim 11**, Margulis, Naka et al. and Callway discloses everything claimed as applied above (see *claim 1*). Margulis discloses a receiving apparatus (see fig 1 (wireless base station, 156)), streaming data from the internet (see col. 4, lines 44-55), a primary display (fig 1 (152)) and secondary display (fig 1 (158)).

Callway discloses generating a command to transfer data (see paragraph 0028).

5. **Claims 5, 7 and 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Margulis (U.S. Patent No. 6,263,503), Naka et al. (U.S. Patent No. 6,707,503) and Callway (U.S. Publication No. 2003/0202006) as applied to *claim 4* above, and further in view of Huang et al. (U.S. Patent No. 6,437,836).

Regarding **claim 5**, Margulis, Naka et al. and Callway discloses everything claimed as applied above (see *claim 4*). Margulis discloses a receiving apparatus (see fig 1 (wireless base station, 156)) and display for the commander (see fig 3).

However, Margulis, Naka et al. and Callway fails to specifically disclose download through internet data for constructing the display.

Huang et al. discloses download through internet data for constructing the display (see abstract, lines 21-29).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Margulis, Naka et al. and Callway's invention with the above mentioned limitation as taught by Huang et al. for the advantage of reducing storage space.

Regarding **claim 7**, Margulis, Naka et al. and Callway discloses everything claimed as applied above (*see claim 1*). Margulis discloses a receiving apparatus (see fig 1 (wireless base station, 156)), wherein the secondary display (remote TV, 158) is operable to display television broadcast contents (see col. 5, lines 15-19), contents obtained through the Internet (see col. 10, lines 23-28).

However, Margulis, Naka et al. and Callway fail to specifically disclose a list of contents which can be selected for display.

Huang et al. discloses a list of contents which can be selected for display (see col. 8, lines 1-31 and figs 4-5).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Margulis, Naka et al. and Callway's invention with the above mentioned limitation as taught by Hung et al. for the advantage of easily selecting TV programs from a list.

Regarding **claim 8**, Margulis, Naka et al., Callway and Huang et al. discloses everything claimed as applied above (*see claim 7*). Margulis discloses a receiving apparatus wherein the secondary display is operable to display a display for a



commander to remote-control the television receiving apparatus (see col. 5, lines 57-col. 4, lines 21 and fig 3).

Huang et al. discloses downloading through the Internet data for constructing both the display for the commander (see abstract, lines 21-29) and a display screen of the list of the contents which can be selected for display (see col. 8, lines 1-31 and figs 4-5).

6. **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over Margulis (U.S. Patent No. 6,263,503), Naka et al. (U.S. Patent No. 6,707,503) and Callway (U.S. Publication No. 2003/0202006) as applied to *claim 4* above, and further in view of Miyazaki et al. (U.S. Publication No. 2003/0187885).

Regarding **claim 6**, Margulis, Naka et al. and Callway discloses everything claimed as applied above (see *claim 4*). Margulis discloses a receiving apparatus (see fig 1 (wireless base station, 156)) and display for the commander (see fig 3).

However, Margulis, Naka et al. and Callway fails to specifically disclose data to install through a recording medium.

Miyazaki et al. discloses data to install through a recording medium (see paragraph 0031, lines 6-9).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Margulis, Naka et al. and Callway's invention

with the above mentioned limitation as taught by Miyazaki et al. for the advantage of executing the function.

7. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Margulis (U.S. Patent No. 6,263,503), Naka et al. (U.S. Patent No. 6,707,503), Callway (U.S. Publication No. 2003/0202006) and Huang et al. (U.S. Patent No. 6,437,836) as applied to *claim 7* above, and further in view of Miyazaki et al. (U.S. Publication No. 2003/0187885).

Regarding **claim 9**, Margulis, Naka et al., Callway and Huang et al. discloses everything claimed as applied above (*see claim 7*). Margulis discloses a receiving apparatus wherein the secondary display is operable to display a display for a commander to remote-control the television receiving apparatus (*see col. 5, lines 57-col. 4, lines 21 and fig 3*).

Huang et al. discloses a display screen of the list of the contents which can be selected for display (*see col. 8, lines 1-31 and figs 4-5*).

However, Margulis, Naka et al., Callway and Huang et al. fail to specifically disclose data to install through a recording medium.

Miyazaki et al. discloses data to install through a recording medium (*see paragraph 0031, lines 6-9*).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Margulis, Naka et al., Callway and Huang et

al.'s invention with the above mentioned limitation as taught by Miyazaki et al. for the advantage of executing the function.

8. **Claims 10 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Margulis (U.S. Patent No. 6,263,503), Naka et al. (U.S. Patent No. 6,707,503) and Callway (U.S. Publication No. 2003/0202006) as applied to *claim 1* above, and further in view of Maze et al. (U.S. Patent No. 5,557,338).

Regarding **claim 10**, Margulis, Naka et al. and Callway discloses everything claimed as applied above (*see claim 1*). Margulis discloses a television receiving apparatus (see fig 1 (wireless base station, 156)), the secondary display (see fig 1 (remote TV, 158)).

However, Margulis, Naka et al. and Callway fail to specifically disclose an apparatus includes at least two tuners and a controller for controlling station selecting states of the tuners, and

the station selecting states of the tuners are controlled in response to a command generated.

Maze et al. discloses an apparatus includes at least two tuners and a controller for controlling station selecting states of the tuners (see col. 3, lines 16-37 and fig 1 (124, 126, 180)), and

the station selecting states of the tuners are controlled in response to a command generated (see col. 3, lines 38-55).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Margulis, Naka et al. and Callway's invention with the above mentioned limitation as taught by Maze et al. for the advantage of multiple events or programs being viewed simultaneously.

Regarding **claim 12**, Margulis, Naka et al. and Callway discloses everything claimed as applied above (*see claim 1*). Margulis discloses a television receiving apparatus (see fig 1 (wireless base station, 156)) and a secondary display (see fig 1 (remote TV, 158)).

However, Margulis, Naka et al. and Callway fail to specifically disclose an apparatus, wherein the apparatus is operable to sequentially capture contents of a plurality of programs which are being broadcasted and to display a list of index images of the captured programs on the display by split display screens, and

the index image of a desired program is indicated on the displayed list of index images.

Maze et al. discloses an apparatus, wherein the apparatus is operable to sequentially capture contents of a plurality of programs which are being broadcasted (current channel and fig 3b (320b)) and to display a list of index images of the captured programs (Saturday Golf, channel 11 CBL 42 6:52 PM) on the display by split display screens (see col. 2, lines 31-62 and fig 3b), and

the index image of a desired program (fig 3b (320b)) is indicated on the displayed list of index images (see fig 3b (channel 11 CBL 42 6:52 PM)) (see col. 2, lines 37-55).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Margulis, Naka et al. and Callway's invention with the above mentioned limitation as taught by Maze et al. for the advantage of multiple events or programs being viewed simultaneously.

9. **Claims 14 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Margulis (U.S. Patent No. 6,263,503) in view of Huang et al. (U.S. Patent No. 6,437,836).

Regarding **claim 14**, Margulis discloses a transmitting/receiving apparatus (see fig 1 (110)) for communicating with a television broadcast receiving apparatus (see fig 1 (156)) operable to receive and monitor both broadcast signal (see col.3, lines 61-64) and streaming data distributed over an Internet (see col. 4, lines 44-55), comprising:

display means operable to display a display for a commander for remote-controlling the television broadcast receiving apparatus (see col. 5, lines 57-col. 4, lines 21 and fig 3);

means for generating a remote control signal based on the display for the commander (see col. 5, lines 66-col. 4, lines 13 and fig 3).

However, Margulis fails to specifically disclose a list of contents which can be selected for display.

Huang et al. discloses a list of contents which can be selected for display (see col. 8, lines 1-31 and figs 4-5).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Margulis's invention with the above mentioned limitation as taught by Huang et al. for the advantage of easily selecting TV programs from a list.

Regarding **claim 15**, Margulis and Huang et al. discloses everything claimed as applied above (*see claim 14*). Margulis discloses a transmitting/receiving apparatus, wherein television broadcast receiving apparatus (see fig 1 (wireless base station, 156)) is operable to obtain information associated with received broadcast signals (see col. 5, lines 1-5) and the display means is operable to display the information associated with the received broadcast signals (see col. 5, lines 15-19).

#### ***Citation of Pertinent Prior Art***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Shin (U.S. Publication No. 2002/0149541)** discloses dual display function for analog and digital display (see paragraph 0047 and fig 8).

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nnenna N. Ekpo whose telephone number is 571-270-

Application/Control Number:  
10/524,175  
Art Unit: 2623

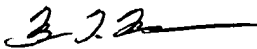
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1663. The examiner can normally be reached on Monday - Friday 7:30 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NNE/nne  
January 25, 2008

  
BRIAN PENDLETON  
SUPERVISORY PATENT EXAMINER